

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GENERAL MOTORS LLC,
GENERAL MOTORS COMPANY,

Plaintiffs,

Case No. 19-cv-13429

v.

District Judge Paul D. Borman

FCA US LLC, FIAT CHRYSLER
AUTOMOBILES N.V., ALPHONS
IACOBELLI, JEROME DURDEN,
MICHAEL BROWN,

Defendants. /

ORDER: JUNE 23, 2020

I am taking this case under advisement, and if necessary, of course, I will be prepared to rule.

But, because today, like every day now, is not an ordinary day, I am entering this Order.

The world has changed dramatically since this case was filed on November 20, 2019. This city, this state, and this country need healing.

The COVID-19 pandemic, and its impact on the health of this country, requires our attention here and now!

Just as important, is our response to the tragic death of George Floyd, that has brought to the forefront the long-standing issues of racial discrimination, and social justice, that require our attention and solution, here and now!

If this case goes forward, there will be years of contentious litigation; motion hearings, multiple-day depositions of large numbers of executives and former executives, at GM and FCA, as well as United Auto Workers (UAW) officials, other Defendants, many third parties, and a plethora of RICO, labor law, and damages experts.

These "legalities" will not only divert and consume the attention of key GM and FCA executives from their "day jobs"--issues of vehicle production, sales, worker safety, roll-outs, supplier issues, etc.--but also prevent them from fully providing their vision and leadership on this country's most pressing social justice and health issues.

In 2008, and going forward, the Federal Government focused on rescuing GM and Chrysler, by providing billions of dollars in aid. That saved GM and Chrysler, now FCA, and tens of thousands of UAW auto workers' jobs. Today our country needs, and deserves, that these now-healthy great companies pay us back, by also focusing on rescuing this country and its citizens from the plagues of COVID-19, racism, and injustice, while building the best motor vehicles in the world.

While watching television news, I have seen CEOs Mary Barra of GM, and Michael Manley of FCA join together, time and again (often with Bill Ford) to provide some attention, leadership and skills to solving social and economic issues

for the good of their companies, their workers, their communities, and our country. So too, I have noticed some attorneys devoting their skills to provide equal justice for all citizens, in particular those less fortunate who require representation in our courts.

What a waste of time and resources, now and for the years to come in this mega litigation, if these automotive leaders and their large teams of lawyers, are required to focus significant time-consuming efforts to pursue this "nuclear option" lawsuit, if it goes forward.

I am ordering that no later than July 1, 2020, just the two CEOs, Mary Barra and Michael Manley, meet in person (social distancing), to reach a sensible resolution of this huge legal distraction. This will enable you personally, and your companies to fully concentrate, in addition to your "day jobs", not just through committees, on providing the leadership and vision this country requires, and deserves, in solving today's aforementioned critical issues.

Time is of the essence. So, I repeat; Mary Barra and Michael Manley, meet face-to-face, in good faith, and with good will, to resolve this huge legal diversion, to permit you and your companies to also fully focus your talents on healing this country as we all embark on the critical road ahead.

I request that I hear from just both of you personally, on a teleconference or a Zoom webinar (no need for both to be physically present in the same room on

this occasion) at noon on Wednesday, July 1, 2020 to provide me with the results of your discussions.

Thank you for your attention to this Order.

SO ORDERED.

DATED: June 23, 2020

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE